

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> <b>(Under 37 CFR 1.97(b) or 1.97(c))</b>			Docket No. 17406
In Re Application Of: <b>Akio Uchiyama</b>			
Serial No. <b>10/766,581</b>	Filing Date <b>January 27, 2004</b>	Examiner <b>Unassigned</b>	Group Art Unit <b>Unassigned</b>
Title: <b>CAPSULE MEDICAL DEVICE</b>			
Address to: <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>			
<b>37 CFR 1.97(b)</b>			
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.			
<b>37 CFR 1.97(c)</b>			
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:			
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);			
<b>OR</b>			
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).			

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

17406

In Re Application: Akio Uchiyama

MAR 01 2004

Serial No.

10/766,581

Filing Date

January 27, 2004

Examiner

Unassigned

Group Art Unit

Unassigned

CAPSULE MEDICAL DEVICE

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account **19-1013/SSMP** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_) on \_\_\_\_\_

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on **Feb. 26, 2004** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Thomas Spinelli

Typed or Printed Name

\*This certificate may only be used if paying by deposit account.

Signature

Dated: February 26, 2004

Thomas Spinelli

Registration No.: 39,533

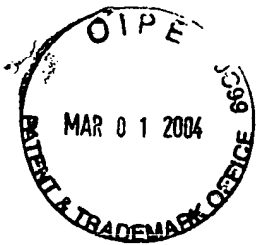
Scully, Scott, Murhpy &amp; Presser

400 Garden City Plaza

Garden City, NY 11530

(516) 742-4343

CC:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	Akio Uchiyama	<b>Examiner:</b>	Unassigned
<b>Serial No:</b>	10/766,581	<b>Art Unit:</b>	Unassigned
<b>Filed:</b>	January 27, 2004	<b>Docket:</b>	17406
<b>For:</b>	CAPSULE MEDICAL DEVICE	<b>Dated:</b>	February 26, 2004

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

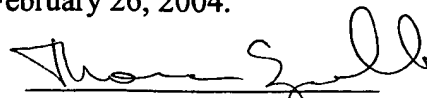
1. Japanese Patent Application No: 2003-038425, published February 12, 2003; together with English Language abstract;
2. Japanese Patent Application No: 2003-135389, published May 13, 2003; together with English Language abstract; and

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail stop DD, Commissioner for Patents. P.O. Box 1450, Alexandria, VA 22313-1450 on February 26, 2004.

Dated: February 26, 2004

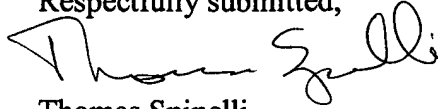
  
Thomas Spinelli

3. Japanese Patent Application No: 2002-159472, published June 4, 2002; together with English Language abstract.

The references were cited in an International Search Report dated February 3, 2004. Applicant is submitting copies of the above-cited references. The relevance of the above-identified references has been described in the International Search Report also attached.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas Spinelli", written over a horizontal line.

Thomas Spinelli  
Registration No.: 39,533

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Garden City, New York 11530  
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TS/rjl

<b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	Atty. Docket No.	17406	Serial No.	10/766,581
	Applicant			
	Akio Uchiyama.			
	Filing Date	January 27, 2004	Group	Unassigned

**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	1	2003-038425	02/12/03	Japan				
	2	2003-135389	05/13/03	Japan				
	3	2002-159472	06/04/02	Japan				
	4							

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.